

MINUTES

OCTOBER 10, 2002

State Capitol, Red River Room

The Education Standard and Practices Board (ESPB) meeting was called to order by board chair, Amy Benz. Board members present were Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppelman, Marianna Malm, Neil Nordquist and Dan Vainonen. ESPB office personnel present were Diane Weber and Janet Welk. Visitors who attended the meeting were Bill Peterson from Attorney General's office, Leann Nelson, Joe Westby and Gloria Lokken from the North Dakota Education Association, Gray Gronberg from the Department of Public Instruction, Mark Wilson from the Board of Vocational and Technical Education, Jim Davis from Harcourt School Publishers and Roman Weiler from the State Association of Nonpublic Schools.

Board members Laura Carney and Kirk Welstad were unable to attend the meeting. Deb Jensen was also absent.

Deb Jensen was attending the Northern Rocky Mountain Educational Research Association Conference (NMEREA). Her written report had been sent to the board with their board packets.

A motion was made by Dean Koppelman to approve the September minutes as written. Second by Neil Nordquist. Motion carried. Board members who voted in agreement were Amy Benz, Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppelman, Marianna Malm, Neil Nordquist and Dan Vainonen.

The September financial report was given by Diane. The financial statement showed \$33,852.36 in revenue, \$29,152.04 in expenses with a net income of \$4,700.32. A motion was made by Marianna Malm to approve the September financial report. Second by Dan Vainonen. Motion carried. Board members who voted yes were Amy Benz, Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppelman, Marianna Malm, Neil Nordquist and Dan Vainonen. Janet explained to the board what the history and procedure had been when collecting dollars for fines. The fine attachment was the first view for the newer members of the board.

The board discussed the No Child Left Behind Title II definition of "highly qualified" for educators teaching the core academic areas as outlined by law. No decisions were made on PLT or Praxis II tests or what group of educators should be tested.

The board attended the Legislative Education Interim Committee hearings throughout the day.

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CASES

Aucker, Raymond (Administrative Board)

Bill Peterson reported that he has notified Mr. Aucker's of the board's decision to deny his license. As of the board meeting date, Mr. Aucker's has not yet responded to the notification.

Campbell, Thomas

A motion was made by Dean Koppleman to proceed with disciplinary action against Mr. Campbell's teaching license. Second by Neil Nordquist. Motion carried. Board members who voted in favor were Amy Benz, Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppelman, Marianna Malm, Neil Nordquist and Dan Vainonen. A second motion was made by Chris Douthit authorizing Bill Peterson to offer an informal settlement of the matter. The board will accept a suspension of Mr. Campbell's license until August 15, 2003. Second by Neil Nordquist. Motion carried. Board members who voted yes were Amy Benz, Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppelman, Marianna Malm, Neil Nordquist and Dan Vainonen. Mr. Campbell's license was brought to the board due to a request for inquiry filed by the Devils Lake Public School due to a breach of contract. The school system did not release Mr. Campbell from his contract. Board discussion was held as to when Mr. Campbell **signed** his contract and when Mr. Campbell **submitted** his letter of resignation. Mr. Campbell accepted a teaching position in St. Cloud MN. He was employed with the Devils Lake system as an ED resource teacher. Mr. Campbell's educator's license is due to expire on March, 2004. **ND Adm. Code 67.1-03-01-03 (10) & NDCC 15.1-13-25 (g).**

Chapa-Yon, Kim

Bill Peterson informed the board that Ms. Chapa-Yon has accepted the settlement agreement.

Hadorn, Scott

A motion was made by Pam Cronin to issue an initial, two-year license. Second by Dan Vainonen. Motion carried. Board members who were in agreement were Amy Benz, Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppelman, Marianna Malm, Neil Nordquist and Dan Vainonen. Mr. Hadorn's license application was placed before the board because he checked "yes" to question #3 on part 2 of his license application. Mr. Hadorn's background check did **not** reveal criminal activity.

Pazdernik, Mike

A motion was made by Pam Cronin to proceed with formal disciplinary action against Mr. Pazdernik's educator's license. Second by Chris Douthit. Motion carried. Board members who were in agreement were Amy Benz, Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppelman, Marianna Malm, Neil Nordquist and Dan Vainonen. **NDCC 67.1-03-01-01** A second motion was made by Marianna to have Janet request additional information from the

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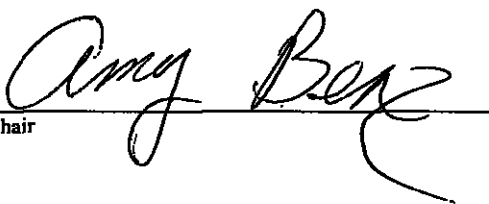
school and Mr. Pazdernik. Second by Dan. Motion carried. Mr. Pazdernik's license was brought before the board due to a request for inquiry regarding a code of ethics issue. Mr. Pazdernik did resign from the Flasher Public School system where he was employed as a science teacher. Mr. Pazdernik's license will be a future agenda item.

Wolstenholm, Alicia (addition)

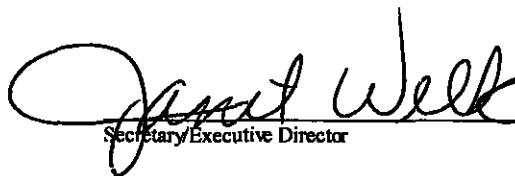
A motion was made by Pam Cronin to issue an interim-1 year emergency license with the stipulation that Ms. Wolstenholm provide PPST/Praxis I scores at the time of her next renewal. Second by Dan Vainonen. Motion amended. A second motion was then made by Pam to issue an interim-1 year emergency license with the stipulation that Ms. Wolsteinholm provide PPST/Praxis I scores at the time of her next renewal and pay the fine maximum of \$250. Second by Dan Vainonen. Motion carried. Board members who voted yes were Amy Benz, Pam Cronin, Chris Douthit, Kathy Kiedrowski, Dean Koppleman, Marianna Malm, Neil Nordquist and Dan Vainonen. Ms. Wolstenholm's license application was brought before the board due to the missing requirement of the PPST/Praxis I scores for the initial, two-year license. Ms. Wolstenholm's license application was received after the PPST/Praxis I score deadline of July 1, 2002. All applicants who are graduates from instate institutions need to submit PPST/Praxis I score as a requirement for an initial license. All out-of-state graduates are issued an interim reciprocal license with the stipulation that they need to take the Native American studies course, submit the PPST/Praxis I scores and provide necessary additional coursework in order to renew their license.

The next board meeting will be November 7th in Bismarck.

Board Chair
10/2002



Secretary/Executive Director





Education Standards and Practices Board
600 E. Boulevard Ave., Dept. 202
Bismarck, ND 58505-0080
(701) 328-2264 Fax #328-2815
<http://www.state.nd.us/espb>

save

DRAFT LEGISLATIVE BILLS

2003

15.1-13-03 BOARD COMPENSATION

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Each member of the board is entitled to receive compensation in the amount of sixty-two dollars and fifty cents per day and to reimbursement for expenses as provided by law for other state officers while attending meetings or performing duties directed by the board.

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A member of the board may not lose the member's regular salary and may not be required to refuse the compensation to which the member is entitled under this section for serving on the board.

National Board for Professional Teaching Standards

The Department of Public Instruction did not request dollars for NBPTS because of the additional dollars received through ESEA. I will have Bill Peterson draft legislation asking for the two items the board voted on for NBPTS.



OFFICE OF ATTORNEY GENERAL

STATE OF NORTH DAKOTA

Wayne Stenehjem
ATTORNEY GENERAL

MEMORANDUM

CAPITOL TOWER

State Capitol
600 E. Boulevard Ave.
Dept. 125
Bismarck, ND 58505-0040
701-328-2210
800-368-6888 (TTY)
FAX 701-328-2226

Consumer Protection
and Antitrust Division
701-328-3404
Toll Free in North Dakota
800-472-2600
FAX 701-328-3536

Gaming Division
701-328-4648
FAX 701-328-3535

Licensing Section
701-328-2329
FAX 701-328-3535

SOUTH OFFICE BUILDING
500 N. 9th St.
Bismarck, ND 58501-4509
FAX 701-328-4300

Civil Litigation
701-328-3640

Natural Resources
701-328-3640

Racing Commission
701-328-4290

Bureau of Criminal
Investigation
P.O. Box 1054
Bismarck, ND 58502-1054
701-328-5500
Toll Free in North Dakota
800-472-2185
FAX 701-328-5510

Fire Marshal
P.O. Box 1054
Bismarck, ND 58502-1054
701-328-5555
FAX 701-328-5510

Information Technology
P.O. Box 1054
Bismarck, ND 58502-1054
701-328-5500
FAX 701-328-5510

TO: Education Standards and Practices Board

FROM: Bill Peterson, Assistant Attorney General *BP*

DATE: September 11, 2002

RE: Proposed legislation to create criminal penalty for teaching without a license

The Board requested that I draft proposed legislation to create a criminal penalty for teaching without a license for the Board's consideration. I recommend the following amendment to N.D.C.C. § 15.1-13-17:

15.1-13-17. Teaching license – Requirements – Exceptions.

1. An individual may not engage in the profession of teaching unless:
 - a. The individual holds a teaching license issued by the board; or
 - b. The individual is approved to teach by the board.
2. An individual may be approved to teach by the board only if the individual has previously held a North Dakota teaching certificate or license, holds a teaching certificate or license issued by another state, or has filed a completed application for licensure with the board.
3. The board shall adopt rules establishing the terms and conditions under which an individual may be approved to teach, as provided for in this section. The terms and conditions may include the payment of a fine to the board in an amount not exceeding two hundred fifty dollars per incident, enrollment in and completion of continuing education courses, and submission of a completed application for licensure by a date certain.
4. An individual who engages in the profession of teaching without holding a teaching license issued by the board or without approval to teach by the board is guilty of a class B misdemeanor.

Most occupational licensing laws in the state make unlicensed practice a class B misdemeanor. A class B misdemeanor carries a maximum

penalty of 30 days imprisonment, a fine of \$1,000, or both. N.D.C.C. § 12.1-32-01(6). The law for some occupations, however, makes unlicensed practice a class A misdemeanor. A class A misdemeanor carries a maximum penalty of one year imprisonment, a fine of \$2,000, or both. The Board may propose legislation imposing whichever penalty it believes is appropriate.

jjs

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dollars for ten at the state level. We actually received 14 applications but I had to turn down four. We also received another five inquiries after filling the original ten slots with the extra three applications. I have contacted Senator Flakoll to see if we could provide the stipend to candidates who paid their own state share. To date, I've received no response.

6. LEGISLATIVE INTERIM COMMITTEE MEETING

The next education interim committee meeting has been scheduled for October 10, 2002. We will try to schedule time to attend this committee meeting. They will be discussing teacher quality as well as other areas of ESEA.

7. 2003 LEGISLATIVE NEEDS

- a. We have been asked by the Early Childhood Education Association to consider the development of an early childhood endorsement. -8/9/02--NO
- b. Mark Wilson, Voc Tech Ed Asst. Director, has indicated they would like to see a K-12 license in technology education. -YES
- ~~c. NBPES dollars for nine seven nationally certified. -YES~~
- ~~d. NBPES dollars for assessment fee match from federal government. -YES~~
- e. ESPB member stipend equivalent to other boards -YES
- f. Change of the major/minor law. -YES
- g. Legislation regarding crime to engage in the profession of teaching without a license, Class B Misdemeanor. States Attorney will prosecute. -YES

Bonnie Miller
OK
done

8. JOINT BOARD MEETING

The joint board meeting has been scheduled for October 20th beginning at noon in the Brynhild Haugland room at the Capitol with a luncheon. Steve Ports, former chancellor of the University System of Georgia will be our speaker. Steve is the P-16 Distinguished Senior Fellow and will be facilitating our discussions on P-16 systems. If you have time, the Education Commission of the States has quite a library of P-16.

9.

10. PERSONNEL, BUDGET, TECHNOLOGY, WEB PAGE, AND FURNITURE UPDATE

I am enclosing copies of the two coordinator position openings for your review and comment. I have discussed office space with the Capitol Facilities Management. At the present time, there does not seem to be any space available. One solution I have thought of that would help our candidate pool would be to not require the coordinators to move to Bismarck. I would also like to discuss with their local school districts the option of leave of absence for three years.

Emily Ternes, our high school staff, has indicated she will be quitting to move to something she is more interested in for a career. I would like your comments and discussion on hiring someone for the entire afternoon each day that is older than a high school student. Possibly paying \$6.00 an hour with the offer of benefits. This would provide us the opportunity to rely more heavily on that person especially now that we have the Title II grant. I plan to visit